

April 13, 2006

CALL TO ORDER: Mayor Pro Tem Loving called the meeting to order at 7:02 p.m., with the Pledge of Allegiance. Council Members present: Bensen, Doyle, Loving, Straathof, Aslett, and Montgomery. Staff present: Aarstad, Bloodgood, Cavanaugh, Fleek, LaRue, Perkins, Sheahan, and Thomas.

APPROVAL OF MINUTES:

A motion was made by **Councilors Aslett/Doyle** to approve the minutes of the March 23, 2006 Council meeting. All were in favor. Motion carried.

AUDIT OF BILLS:

Councilor Aslett presented the bills. A motion was made by **Councilors Aslett/Bensen** to approve vouchers 46152 – 46346 in the amount of \$598,501.61. All were in favor. Motion carried.

Current Expense	\$ 101,877.71
Current Expense Cumulative Reserve	21,657.92
Fire Equipment Cumulative Reserve	13,536.67
City Street	48,237.06
Library	6,492.23
Parks & Recreation	17,907.88
Cemetery Fund	272.58
Stadium Fund	11,175.45
Local Capital Improvement Fund	318,008.02
Parks & Recreation Reserve	11,959.15
Sewer Fund	31,848.56
Sewer Cumulative Reserve	5,176.26
Storm Drainage Utility	10,352.12
Total	\$ 598,501.61

PUBLIC COMMENTS:

There were no public comments.

OFFICER REPORTS:

Library Director Perkins announced the award of a State Grant to the Library. The grant is in the form of services rather than funds. The Burlington Library staff will be provided with the services of a marketing specialist for one day.

Library Director Perkins stated that the Art for the Library committee is moving forward with fundraising plans to purchase art for display in the new library.

A motion was made by **Councilors Bensen/Doyle** to excuse **Councilor Valentine** from tonight’s meeting. All approved. Motion carried.

City Administrator Aarstad announced that the Toward A Livable Community workshop and forum is scheduled for Thursday April 27th. The public workshop will be from 10 a.m. to 3 p.m. at McIntyre Hall and the public forum will be from 6 p.m. to 9 p.m. at Skagit Station, 105 E. Kincaid Street, Mount Vernon. The workshop presenter is Dan Burden. These events are sponsored by the Skagit Council of Governments including the City of Burlington.

PROCLAMATION

Mayor Pro Tem Loving read the proclamation declaring April 15, 2006 as Eddie Lawson Day in the City of Burlington. He noted that Eddie Lawson would be at Skagit Power Sports this Saturday for a promotional event.

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CONSENT AGENDA:

- 1) Agreement between City of Burlington and Skagit Domestic Violence & Sexual Assault Services for 2006.

A motion was made by **Councilors Bensen/Aslett** to approve Consent Agenda item 1. All agreed. Motion carried.

UNFINISHED BUSINESS:

AGREEMENT WITH NORTHWEST OVAL/OFF-ROAD RADIO CONTROL ASSOCIATION.

City Attorney Thomas announced that this item was not ready at this time and would be discussed later in the meeting.

PROPOSED MAJOR AMENDMENT TO EXISTING CONDITIONAL USE PERMIT FOR A DUPLEX TO RELOCATE THE DUPLEX TO A DIFFERENT PART OF THE SITE AND TO SHORT PLAT THE DUPLEX INTO TWO SEPARATE ZERO LOT LINE STRUCTURES, WHILE MEETING OVERALL SITE REQUIREMENTS.

Planning Director Fleek stated that the Planning Commission reviewed the proposed amendment to the conditional use permit, following public notice, at their regular meeting on March 15, 2006, and have recommended approval of the amendment to relocate the duplex. A motion was made by **Councilors Bensen/Montgomery** to approve the major amendment to Conditional Use Permit #3-04. All approved. Motion carried.

NEW BUSINESS:

SURPLUS OLD MICROFILM READER-PRINTER.

Library Director Perkins stated that the Library has purchased a new microfilm reader-printer and would like to surplus the old one and donate it to the Upper Skagit Library District. The old reader-printer was purchased in 1989 and is not reliable. It does not have resale value, but it does still work and may be useful to the Upper Skagit Library District. The Burlington Library Board of Trustees approves this action and requests Council approval to formally surplus the machine. A motion was made by **Councilors Aslett/Doyle** to surplus the old microfilm reader-printer and donate it to the Upper Skagit Library District. All approved. Motion carried.

PROPOSED CONDITIONAL USE PERMIT FOR A DUPLEX IN THE SINGLE FAMILY ZONE ON A 10,000 SQUARE FOOT LOT, ADDRESSED AT 855 MIRACLE LANE, A PRIVATE EASEMENT. APPLICANT IS ED GEORGE.

Planning Director Fleek stated that the Planning Commission conducted a public hearing on the proposed conditional use permit at their regular meeting on March 15, 2006. They have recommended approval of the conditional use permit for duplex use. A motion was made by **Councilors Montgomery/Aslett** to approve the conditional use permit. All agreed. Motion carried.

UNFINISHED BUSINESS (Continued):

AGREEMENT WITH NORTHWEST OVAL/OFF-ROAD RADIO CONTROL ASSOCIATION.

City Administrator noted that this agreement has been finalized. The changes to the document include clarification of insurance responsibility for the “off-road” track and the “oval track”. The City will obtain liability insurance for the “off-road” track and the Association will cover the “oval track” under their insurance policy as it will be in a fenced area. Other changes to the agreement are minor “housekeeping” items. He noted that the agreement is for one year with an option for two 3-year extensions. A motion was made by **Councilors Bensen/Straathof** to approve the agreement with N.O.R.A. R/C car club. All agreed. Motion carried.

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NEW BUSINESS (Continued):**PROPOSAL BY BURLINGTON-EDISON YOUTH FOOTBALL AND CHEERLEADING LEAGUE.**

Parks & Recreation Director Cavanaugh reported that earlier this evening, the Burlington-Edison Youth Football and Cheerleading League gave a presentation and proposal to the Parks Board at a Neighborhood Meeting. They are requesting permission to build a football field, practice area and parking area on Burlington sewer department property across from Rotary Park (just north of the Sewer Treatment Plant). The Parks Board voted to recommend approval of the request to the Council. The league would plan to have the site operational for the fall 2007 season. An agreement would be negotiated with the League, **City Attorney Thomas**, **Sewer Supervisor LaRue** and **Parks & Recreation Director Cavanaugh** and brought to the City Council at a later date. Councilmembers were in favor of the recommendation and indicated City staff should move forward with contract negotiations. **City Attorney Thomas** asked Councilmembers to let him know if they had any specific requests to be considered in the agreement.

PROPERTY MANAGEMENT AGREEMENT FOR 1730 E. WHITMARSH ROAD.

Parks & Recreation Director Cavanaugh reviewed the agreement for property management of the house located at 1730 E. Whitmarsh Road. He noted that the house will be rented for \$800 per month and that the property manager will collect the rent for the City and retain \$75 per month for his services. If the property becomes vacant, and the property manager finds an appropriate renter, he will retain \$400 of the first months rent. If a new renter is found by the City, the property manager will retain \$200 of the first months rent. This agreement can be terminated with a 30-day written notice. A motion was made by Councilors Aslett/Bensen to approve the property management agreement with ReMax Valley Homes for the house located at 1730 East Whitmarsh Road, Burlington, WA. All approved. Motion carried.

APPROVAL OF AN INTERLOCAL AGREEMENT WITH SKAGIT COUNTY FOR GRANT REIMBURSEMENT OF THE INSTALLATION OF FIBER NETWORK IN THE CITY OF BURLINGTON.

City Administrator Aarstad stated that in 2003 the City of Burlington was awarded a grant from Skagit County to provide a fiber network between the cities of Burlington and Mount Vernon. The installation of the fiber network has been completed and Skagit County has indicated we are eligible to request reimbursement for the expenses incurred in this venture. This interlocal agreement will provide the legal conduit for the County to provide the reimbursement of \$128,175.70. A portion of this reimbursement (\$7,868.80) will be used to pay back Skagit County Public Utility District #1 for the fiber we purchased from them for this project. A motion was made by **Councilors Bensen/Montgomery** to approve the interlocal agreement with Skagit County for the fiber network grant reimbursement. All approved. Motion carried.

PRESENTATION AND PUBLIC HEARING REGARDING FLUORIDATION OF PUBLIC WATER SUPPLY (PUBLIC HEARING).

Mayor Pro Tem Loving opened the Public Hearing. He read the City of Burlington rules for this public hearing procedure noting that there will be no outbursts, clapping, or comments from the audience. Only those city residents that have signed up to speak will be allowed to come to the podium and allowed three (3) minutes to make a statement. **City Administrator Aarstad** noted that he will be the official timer and notify the speaker when they have one minute and again when they have 30 seconds left to speak. He reviewed the list of speakers and indicated that of the four signed up to speak, three are not residents of Burlington thus there would be only one citizen speaker. Mr. Mark Kramer, 506 South Cherry, spoke in favor of fluoridation and thanked the City Council for allowing public input on this subject. **Councilor Bensen** stated that he believes this is a decision best left to the individual and is not something he would want to decide for all citizens. **Councilor Doyle** and **Councilor Straathof** agreed. **Council Aslett** stated he was disappointed with the Board of County Commissioners for not making a decision regarding this issue. They serve as the Skagit County Board of Health and are elected to make such decisions for the good of the county. He recommended that the council not make a recommendation to the Commissioners regarding this issue. He stated that personally he is in favor of fluoridation of water. A

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motion was made by **Councilors Aslett/Bensen** to take “no stance” on this issue. All agreed. Motion carried.

EXECUTIVE SESSION:

The Mayor Pro Tem and Councilmembers adjourned to Executive Session at 7:48 p.m. to discuss litigation. The Mayor Pro Tem and Councilmembers returned from Executive Session at 8:07 p.m.

ADJOURNMENT:

A motion was made by **Councilors Doyle/Bensen** to adjourn the meeting at 8:08 p.m. All were in favor. Motion carried.

Richard A. Patrick
Finance Director / City Clerk

Roger “Gus” Tjeerdsma
Mayor